

REMARKS

The Office Action dated January 26, 2006 has been received and carefully noted. The above amendments to claims 1, 3, and 21-32 and the following remarks are submitted as a full and complete response thereto.

In accordance with the foregoing, claims 1, 3, and 21-32 have been amended to improve clarity of the features recited therein. No new matter is being presented, and approval and entry are respectfully requested. As will be discussed below, it is also requested that all of claims 1-6 and 8-32 be found allowable as reciting patentable subject matter.

Claims 1-6 and 8-32 stand rejected and pending and under consideration.

REJECTION UNDER 35 U.S.C. § 112:

In the Office Action, at pages 2-3, claims 25-28 and 31-32 were rejected under 35 U.S.C. § 112, first paragraph because the claims constitute single means claims and second paragraph for indefiniteness.

In response, the claims have been amended to improve clarity of the features recited therein.

Accordingly, it is respectfully requested that the § 112, first paragraphs and second paragraph rejections to the claims be withdrawn.

REJECTION UNDER 35 U.S.C. § 101:

On page 3 of the Office Action, claims 29-30 were rejected under 35 U.S.C. § 101 because the claimed computer program product is non-statutory subject matter because it is not a process, machine, nor composition of matter, nor it is recorded on some computer-readable medium.

In response, claims 29-30 have been amended to further clarify the features recited in these claims. Also, for purposes of clarity, the recitations of claims 1 and 3 have been incorporated into claims 29 and 30, respectively.

Accordingly, it is respectfully requested that the 35 U.S.C. § 101 rejection to the claims be withdrawn.

REJECTION UNDER 35 U.S.C. § 103:

In the Office Action, at page 3, claims 1-6 and 8-32 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent Application Publication 2004.0022233 to Gemmer in view of the Admitted Prior Art, paragraphs [0002] to [0015], of the present invention. The Office Action took the position that Gemmer discloses the recitations of independent claims 1, 3, 21-26, 31, 32, except for the recitation providing that the access network charging identifier is distributed within the second network. Accordingly, the Office Action relies upon the Admitted Prior Art, page 4, paragraph [0013] and [0039]-

[0040] as describing such recitation. The rejection is traversed and reconsideration is requested.

Independent claim 1, upon which claims 2, 5, 6, and 8-20 are dependent, recites a method for supporting a communication session of user equipment associated with a first access network, by a communication system comprising at least one entity between said user equipment and a node with which the user equipment is arranged to establish a session via a second network. The method includes a) establishing said session between the user equipment and the node via said at least one entity, b) putting the session on hold, c) reserving resources for said session while said session is on hold; and d)

resuming said session with a message by which an access network charging identifier is distributed within the second network. The first access network is different from the second network.

Independent claim 3, upon which claims 4 and 30 are dependent, recites a method for supporting a communication session of user equipment associated with a first access network, by means of a communication system comprising at least one entity between said user equipment and a node with which the user equipment is arranged to establish a session via a second network. The method includes a) modifying an existing session between the user equipment and the node via said at least one entity, b) putting the session on hold, c) reserving resources for the modified session while said session is on hold, and d) resuming said session with a message by which an access network charging

identifier is distributed within the second network. The first access network is different from the second network.

Independent claim 21 recites a communication system for supporting a communication session of an user equipment associated with a first access network, said system comprising at least one entity between said user equipment and a node with which the user equipment is arranged to establish a session via a second network. The system is arranged to establish said session between the user equipment and the node via said at least one entity, at least one of said node and said user equipment being arranged to put the session on hold, at least one of said node and said user equipment being arranged to reserving resources for said session while said session is on hold, at least one of said node and said user equipment being arranged to resume said session with a message by which at least one entity distributes an access network charging identifier within the second network. The first access network is different from the second network.

Independent claim 22 recites a communication system for supporting a communication session of an user equipment associated with a first access network, said system comprising at least one entity between said user equipment and a node with which the user equipment is arranged to establish a session via a second network. The system is arranged to modify a session between the user equipment and the node via said at least one entity, at least one of said node and said user equipment being arranged to put the session on hold, at least one of said node and said user equipment being arranged to reserving resources for said modified session while said session is on hold, at least one of

said node and said user equipment being arranged to resume said session with a message by which at least one entity distributes an access network charging identifier within the second network. The first access network is different from the second network.

Independent claim 23 recites a communication system comprising at least one entity between user equipment associated with a first access network and a node with which the user equipment is arranged to establish a session via a second network. The system includes establishing means for establishing said session between the user equipment and the node via said at least one entity, placement means for putting the session on hold, reserving means for reserving resources for said session while said session is on hold, and resuming means for resuming said session with a message by which an access network charging identifier is distributed within said second network. The first access network is different from the second network.

Independent claim 24 recites a communication system comprising at least one entity between user equipment associated with a first access network and a node with which the user equipment is arranged to establish a session via a second network. The system includes modifying means for modifying an existing session between the user equipment and the node via said at least one entity, placement means for putting the session on hold, first reserving means for reserving resources for the modified session while said session is on hold, second reserving means for reserving resources for the modified session while said session is on hold, and resuming means for resuming said session with a message by which an access network charging identifier is distributed

within said second network. The first access network is different from the second network.

Independent claim 25, upon which claim 27 is dependent, recites a network apparatus, including a network element configured to establish a communication session with a node via a first access network and a second network, said network element is further configured to put said session on hold, to reserve resources for said session while said session is on hold, and to resume said session with a message by which an access network charging identifier is distributed within the second network. The first access network is different from the second network.

Independent claim 26, upon which claim 28 is dependent, recites a network apparatus including a network element configured to modify a communication session with a node via a first access network and a second network, said network element is further configured to put the session on hold, to reserve resources for modifying said session while said session is on hold, and to resume said session with a message by which an access network charging identifier is distributed within said second network. The first access network is different from the second network.

Independent claim 29 recites a computer program embodied on a computer readable medium for supporting a communication session of user equipment associated with a first access network, by means of a communication system comprising at least one entity between said user equipment and a node with which the user equipment is arranged to establish a session via a second network. The computer program being configured to

perform the steps of: a) modifying an existing session between the user equipment and the node via said at least one entity, b) putting the session on hold, c) reserving resources for the modified session while said session is on hold, and d) resuming said session with a message by which an access network charging identifier is distributed within the second network. The first access network is different from the second network.

Independent claim 30 recites a computer program embodied on a computer readable medium for supporting a communication session of user equipment associated with a first access network, by means of a communication system comprising at least one entity between said user equipment and a node with which the user equipment is arranged to establish a session via a second network. The computer program being configured to perform the steps of: a) modifying an existing session between the user equipment and the node via said at least one entity, b) putting the session on hold, c) reserving resources for the modified session while said session is on hold, and d) resuming said session with a message by which an access network charging identifier is distributed within the second network. The first access network is different from the second network.

Independent claim 31 recites a network element for establishing a communication session with a node via a first access network and a second network. The network element includes means for putting said session on hold, means for reserving resources for said session while said session is on hold, and means for resuming said session with a message by which an access network charging identifier is distributed within the second network. The first access network is different from the second network.

Independent claim 32 recites a network element for modifying a communication session with a node via a first access network and a second network. The network element includes means for putting the session on hold, means for reserving resources for modifying said session while said session is on hold, and means for resuming said session with a message by which an access network charging identifier is distributed within said second network. The first access network is different from the second network.

As will be discussed below, Gemmer and the Admitted Prior Art fail to disclose or suggest the elements of any of the presently pending claims.

Gemmer generally describes a switching centre for holding and forwarding calls. In paragraph [0021] of Gemmer, Gemmer refers to a switching centre VER controlling calls between terminals A, B and C, and how the switching centre VER holds a interrupted connection between A and B whilst a connection is established between A and C so that it is possible to later resume the connection between A and B. It is contended in the Office Action that the technique of Gemmer includes all the features of the independent claims except for the feature of resuming the session with a message by which an access network charging identifier is distributed within the second network.

At page 4 of the Admitted Prior Art of the specification of the present application, the distribution of an access network charging identifier is described within an IMS network in a SIP "UPDATE" request message. However, in view of the description provided in Gemmer and the Admitted Prior Art, Applicants respectfully assert that it would not have been obvious to have applied such distribution of the Admitted Prior Art

to Gemmer because (i) Gemmer does not at all relate to establishing a session via an IMS network; and (ii) even if it supposed, for the sake of argument and not admitted, that the switching network described in Gemmer is an IMS network, the distribution of the access network charging identifier described within an IMS network provided on page 4 of the Admitted Prior Art being applied to Gemmer would still not arrive at the subject matter of the independent claims of the present application. The combination of Gemmer and the Admitted Prior Art would not teach or suggest resuming or to resume “said session with a message by which an access network charging identifier is distributed within the second network, wherein the first access network is different from the second network,” as recited in independent claims 1, 3, and 21-32.

Specifically, paragraph [0019] of Gemmer describes how radio telephones can be connected to the switching network (SN) via appropriate interfaces. If it is supposed, for the sake of argument and not admitted, that the switching network in Gemmer were an IMS network and terminal A in Gemmer were a radio telephone, then the description provided in the Admitted Prior Art described at page 4 of the specification of the present application might be applicable to the establishment of a session between terminal A and a node in the switching network. However, according to the description provided in the Admitted Prior Art described at page 4 of the specification of the present application, the distribution of an access network charging identifier within the switching network of Gemmer would happen **before** the switching center VER establishes the service connection (i.e., voice connection) between A and B, and hence **before** the interruption

of the service connection between A and B and hence **before** the resumption of the service connection between A and B.

As described in the Admitted Prior Art at page 4 of the specification of the present application, the access network charging identifier is distributed with a SIP "UPDATE" request message including an indication that the quality of service resource reservation was successful, and paragraph [0014] of the specification of the present application indicates that the UPDATE request message is sent by the calling party to the terminating end point via the signaling path established by the INVITE request message. In the case of the service connection between A and B of Gemmer, such an UPDATE request message would be sent as preparation to establishing the service connection between A and B. After that the interruptions in the established service connection are controlled by the VER and there is no suggestion in the Admitted Prior Art of the present application to resend an UPDATE message each time the service connection between A and B is temporarily interrupted and resumed under the control of the switching center VER.

Accordingly, in view of the foregoing, it is respectfully requested that claims 1-6 and 8-32 be allowed.

CONCLUSION:

In view of the above, Applicant respectfully submits that the claimed invention recites subject matter which is neither disclosed nor suggested in the cited prior art. Applicant further submits that the subject matter is more than sufficient to render the

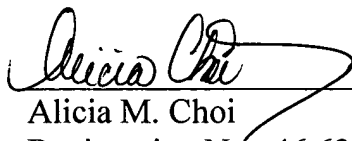
claimed invention unobvious to a person of skill in the art. Applicant therefore respectfully requests that each of claims 1-6 and 8-32 be found allowable and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the Applicant respectfully petitions for an appropriate extension of time.

Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,


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Enclosures: Additional Claim Fee Transmittal
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